

PATENT APPLICATION ATTORNEY DOCKET NO. 20767.NP

IN THE UNITED STATES PATENT & TRADEMARKS OFFICE

ART UNIT:

3673

EXAMINER:

APPLICANT:

SADABADI, et al.

SERIAL NO.:

10/695,480

FILED:

10/28/2003

CONFRM. NO.:

FOR: AUTOMATICALLY ADJUSTABLE PILLOW

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

DATE OF DEPOSIT: 23 Mar 04

I hereby certify that this paper or fee (along with any paper or fee referred to as being attached or enclosed) is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Vaughn W. North

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir/Madam:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). Applicant respectfully submits that this Information Disclosure Statement is filed pursuant to:

\boxtimes	37 C.F.R. § 1.97 (b)(1) or (3), within three months of the filing date of the application, or
before a first of	office action on the merits, whichever occurs last;
	37 C.F.R. § 1.97 (c), after a first office action on the merits, but before a Final Office
Action or a N	otice of Allowance, whichever occurs first, and is accompanied by either 1) a statement in
accordance w	ith 37 C.F.R. § 1.97(e), or 2) the fee set forth in§1.17(p); or
	37 C.F.R. § 1.97 (d), after a Final Office Action or Notice of Allowance, whichever

occurs first, but on or before payment of the issue fee, and is accompanied by both 1) a statement in

accordance with 37 C.F.R. § 1.97(e), and 2) the fee set forth in§1.17(p).

Response To Notice To File Missing Parts Of Patent Application Page 2

While no representation is made that any of these references may be "prior art" within the

meaning of that term in accordance with 35 U.S.C. §§ 102 or 103, the enclosed list of references is

disclosed so as to comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office

records has been conducted or that no better art exists, the undersigned attorney of record believes that

the references listed, together with any other references which may have been previously submitted or

listed, are the closest to the claimed invention (taken in its entirety) of which the undersigned is presently

aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly

withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each listed reference (or relevant

portion thereof) which was not previously submitted to, or cited by, the Patent Office is also enclosed.

For all listed references that are not either in the English language, or accompanied by a

translation into English, a concise explanation of relevance as required under 37 C.F.R. § 1.98(a)(3) is

enclosed attached to each.

The Commissioner is hereby authorized to charge any additional fees associated with this

communication or to credit any overpayment to Deposit Account No. 20-0100.

Dated this 23 day of March, 2004.

Respectfully submitted,

Vaughri W. North Attorney for Applicant

Registration No. 27,930

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Customer No. 20,551

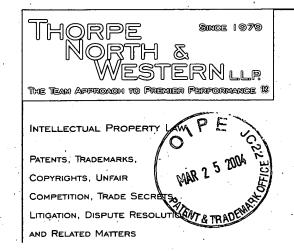
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Enclosure



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March 23, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Re:

U.S. Patent Application No. 10/695,480 filed Oct. 28, 2003

Applicant: SADABADI, et al.

Title: AUTOMATICALLY ADJUSTABLE PILLOW

Group Art Unit: 3673

Attorney Docket No. 20767.NP

Sir/Madam:

Transmitted herewith for filing and pursuant to 37 C.F.R. §§ 1.56 and 1.97 is an Information Disclosure Statement.

Enclosed also are the following designated documents, as required under 37 C.F.R. §§ 1.97 and 1.98:

\boxtimes	Form PTO-1449 list of <u>12</u> references submitted for consideration.
\boxtimes	Legible copies of the listed references or their relevant portions.
· .	All English translations of each non-English reference, if any, within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) (see 37 C.F.R. § 1.98(c)).

as req		llowing are included within the Information Disclosure Statement if applicable and der 37 C.F.R. § 1.98:
		Concise explanation of relevance of each reference not in English and unaccompanied by an English translation.
		Statement that certain listed references not enclosed are substantially cumulative of an enclosed reference.
• : .		Statement that certain listed references not enclosed were previously cited by or submitted to the Office in prior application no. , filed on , which is relied upon for an earlier filing date under 35 U.S.C. § 120.
follow	,	er to secure consideration of the items designated above, one or more of the equired, is also enclosed:
		Statement under 37 C.F.R. § 1.97(e)(1) or (2).
		Check No in the amount of \$0.00 (amount in § 1.17(p)) constituting the submission fee set forth in 37 C.F.R. § 1.17(p).
fee, pl	nent me ease cre	event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that the ets the requirements of 37 C.F.R. § 1.97(e), or in any other event remediable by a dit any over payment or charge any additional fees to Deposit Account No. 20-indersigned.
		Respectfully submitted,

Attorney for Applicant Registration No. 27,930

Vaughn W. North

THORPE NORTH & WESTERN, LLP Customer No. 20,551 P.O. Box 1219 Sandy, Utah 84091-1219 Telephone: (801) 566-6633 PTO-1449

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

LIST OF PRIOR ART CITED BY APPLICANT

ATTY. DOCKET NO. 20767.NP

10/695,480

APPLICANT

Sadabadi, et al.

FILING DATE 10/28/03

GROUP

U.S. PATENT DOCMENTS

ENTE	CART			U.S. PATENT DUCMENTS			
EXAMINER INITIALS		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	Al	4,893,367	Jan. 16, 1990	Heimreid et al.			
	A2	5,020,174	Jun. 4, 1991	Sarkozi		00000	
	А3	5,209,538	May 11, 1993	Gabruel			
	A4	5,231,720	Aug. 3, 1993	Benoff			
	A5	5,347,668	Sep. 20, 1994	Manning			
	A6	5,630,651	May 20, 1997	Fishbane			
	Α7	5,642,544	Jul. 1, 1997	Munoz		_	
	A8	5,708,999	Jan. 20. 1998	Priolo et al.			
	A 9	5,815,864	Oct. 6, 1998	Sloop			
	A10	5,853,005	Dec. 29, 1998	Scanlon			
	A11	6,092,249	Jul. 25, 2000	Kamen et al.			
	A12	6,131,219	Oct. 17, 2000	Roberts			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIALS		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	A13						
	A14						
	A15						
	A16						
	A17						

OTHER PRIOR ART (Including Author, Title, Pertinent Pages, Etc.)

	A18							
	A19				•			
	A20				·			
EXAMINER			DATE CO	NSIDERI	ED	•	•	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication with applicant.